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**TUESDAY, SEPTEMBER 19, 2023**  
**CITY COUNCIL REVISED AGENDA**  
**6:00 PM**

- I. Call to Order by Chair Dotley.
- II. Pledge of Allegiance/Invocation (Councilman Smith).
- III. Special Presentation.
- IV. Minute Approval.

**Order of Business for City Council**

V. **Ordinances – Final Reading:**

**PLANNING**

- a. [2023-0127 Stone Creek Consulting, LLC c/o Allen Jones \(R-1 Residential Zone to R-3 Residential Zone and C-2 Convenience Commercial Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 3111 Kelly's Ferry Road, from R-1 Residential Zone to R-3 Residential Zone, subject to certain conditions. \(District 1\) \(Recommended for approval by Planning Commission and recommended for denial by Staff\) \(Planning Version #2\)](#)
- b. [2023-0114 Sam Koebley and Will Haisten \(R-3 Residential Zone to E-RM-3 Urban Edge Multi-Unit Residential Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 217 Tremont Street, from R-3 Residential Zone to E-RM-3 Urban Edge Multi-Unit Residential Zone, subject to certain conditions. \(District 2\) \(Recommended for approval by Planning Commission and Staff\) \(Planning Version #2\)](#)
- c. [2023-0111 Jay Simpson \(R-1 Residential Zone to C-2 Convenience Commercial Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 5026 Old Godsey Lane, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions. \(District 3\) \(Recommended for approval by Planning Commission and Staff\)](#)

- d. 2023-0121 Lyons Group Acquisitions (Lift Conditions). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to lift Condition Nos. 2, 3, and 4; and amending Condition No. 1 from Ordinance No. 9135 of previous Case No. 1989-0046 for part of a property located at 5431 Hixson Pike. (District 3) (Recommended for approval by Planning Commission and Staff)
- e. 2023-0122 Lyons Group Acquisitions (R-2 Residential Zone to R-3 Residential Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 5138, 5144, 5150, and 5157 Strickland Drive, 5422 Old Hixson Pike, and an unaddressed parcel in the 5400 block of Old Hixson Pike, from R-2 Residential Zone to R-3 Residential Zone, subject to certain conditions. (District 3) (Recommended for approval by Planning Commission and recommended for denial by Staff) (Planning Version #2)
- f. 2023-0134 David Fidati c/o Wise Construction (C-2 Convenience Commercial Zone to UGC Urban General Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 6011 Lee Highway, from C-2 Convenience Commercial Zone to UGC Urban General Commercial Zone, subject to certain conditions. (District 5) (Recommended for approval by Planning Commission and Staff)
- g. 2023-0133 Pointe Holdings (R-4 Special Zone with conditions and R-1 Residential Zone to C-2 Convenience Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 7283 Bonny Oaks Drive, from R-4 Special Zone with conditions and R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions. (District 6) (Recommended for approval by Planning Commission and recommended for denial by Staff)
- h. 2023-0119 Melissa Graveline (R-4 Special Zone to C-2 Convenience Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 510 South Willow Street, from R-4 Special Zone to C-2 Convenience Commercial Zone, subject to certain conditions. (District 9) (Recommended for approval by Planning Commission and recommended for denial by Staff)
- i. 2023-0125 Stone Creek Consulting, LLC (R-1 Residential Zone to UGC Urban General Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone an unaddressed tract of land located in the 3100 block of East 26<sup>th</sup> Street, from R-1 Residential Zone to UGC Urban General Commercial Zone, subject to certain conditions. (District 9) (Recommended for approval by Planning Commission)

- j. [2023-0129 Raun Swafford \(M-2 Light Industrial Zone to R-3 Residential Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 2000 Dodson Avenue, from M-2 Light Industrial Zone to R-3 Residential Zone, subject to certain conditions. \(District 9\) \(Recommended for approval by Planning Commission and Staff\)](#)

VI. **Ordinances – First Reading:**

**LEGAL**

- a. [An ordinance granting a franchise to Uniti Fiber LLC, for the purpose of allowing it to construct, install, and operate certain telecommunications wires and cabling within the public rights-of-way in order to provide telecommunications services within the City; setting forth conditions accompanying the grant of the franchise; providing for regulation and use of the system and the public rights-of-way in conjunction with the City’s right-of-way ordinance; and prescribing penalties for the violations of the provisions herein.](#)

**PLANNING**

- b. [2023-0112 Nathan Brown \(R-3 Residential Zone and R-T/Z Residential Townhouse/Zero Lot Line Zone with conditions to R-T/Z Residential Townhouse/Zero Lot Line Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 1115 and 1117 East 14<sup>th</sup> Street and an unaddressed property in the 1100 block of East 4<sup>th</sup> Street, from R-3 Residential Zone and R-T/Z Residential Townhouse/Zero Lot Line Zone with conditions to R-T/Z Residential Townhouse/Zero Lot Line Zone, subject to certain conditions. \(District 8\) \(Recommended for approval by Planning Commission and Staff\) \(Deferred from 09-12-2023\)](#)

[2023-0112 Nathan Brown \(R-3 Residential Zone and R-T/Z Residential Townhouse/Zero Lot Line Zone with conditions to R-T/Z Residential Townhouse/Zero Lot Line Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 1115 and 1117 East 14<sup>th</sup> Street and an unaddressed property in the 1100 block of East 4<sup>th</sup> Street, from R-3 Residential Zone and R-T/Z Residential Townhouse/Zero Lot Line Zone with conditions to UGC Urban General Commercial Zone, subject to certain conditions. \(Applicant Version\) \(Recommended for denial by Planning Commission and Staff\)](#)

- c. 2023-0118 Chambliss, Bahner & Stophel (R-2 Residential Zone to UGC Urban General Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone part of a property located at 1710 South Holtzclaw Avenue, from R-2 Residential Zone to UGC Urban General Commercial Zone, subject to certain conditions. (District 8) (Recommended for approval by Planning Commission and Staff) (Deferred from 09-12-2023)

2023-0118 Chambliss, Bahner & Stophel (R-2 Residential Zone to UGC Urban General Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone part of a property located at 1710 South Holtzclaw Avenue, from R-2 Residential Zone to C-2 Convenience Commercial Zone. (Applicant Version) (Recommended for denial by Planning Commission and Staff)

- d. 2023-0126 Stone Creek Consulting, LLC (R-2 Residential Zone to UGC Urban General Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 2910 Calhoun Avenue, from R-2 Residential Zone to UGC Urban General Commercial Zone, subject to certain conditions. (District 8) (Recommended for approval by Planning Commission and Staff) (Deferred from 09-12-2023)

2023-0126 Stone Creek Consulting, LLC (R-2 Residential Zone to UGC Urban General Commercial Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone property located at 2910 Calhoun Avenue, from R-2 Residential Zone to UGC Urban General Commercial Zone. (Applicant Version)

## **PUBLIC WORKS**

### **Transportation**

- e. MR-2023-0120 N&R Properties c/o Rostis Timoshchuk (Abandonment). An ordinance closing and abandoning an unopened right-of-way in the 7500 block of Overcup Oak Trail, as detailed on the attached maps, subject to certain conditions. (District 4) (Recommended for approval by Public Works and Planning Commission) (Planning Version #2)
- f. MR-2023-0070 Berry Engineers, LLC c/o Jake Simco (Abandonment). An ordinance closing and abandoning an unopened public right-of-way located in the 3400 block of Ohls Avenue, as detailed on the attached maps. (District 7) (Recommended for approval by Public Works and Planning Commission) (Deferred from 08-29-2023)

- g. MR-2023-071 Berry Engineers, LLC c/o Jake Simco (Abandonment). An ordinance closing and abandoning an unopened right-of-way located in the 400 block of West 35<sup>th</sup> Street, as detailed on the attached maps. (District 7) (Recommended for approval by Public Works and Planning Commission) (Deferred from 08-29-2023)

VII. **Resolutions:**

**COUNCIL OFFICE**

- a. A resolution confirming the appointment of Sharon Mickel to the Hixson Community Advisory Committee for District 3, with a term beginning on September 20, 2023, and ending on September 19, 2025. (District 3)
- b. A resolution confirming the reappointment of Whitney Brazil to the Head Start Governing Board for District 7, with a term beginning on September 20, 2023, and ending on September 19, 2025. (District 7)

**FIRE**

- c. A resolution to accept a materials donation valued in the amount of \$70,000.00 from Clean Sweep Products, LLC for hazardous materials response supplies and materials, including absorbent pads and socks, overpack drums, industrial rugs, spill kits, and similar items.

**HUMAN RESOURCES**

- d. A resolution authorizing revisions to the Employee Information Guide (EIG) to be effective upon approval, revisions include: Policy 1 – Purpose and Objective; Policy 2 – General Policies; Policy 4 – Personnel-Human Resources Records; Policy 6 – Outside Employment; Policy 8 – Separation of Employment; and Policy 10 – Classification, and authorizing formatting and Table of Contents updates. (Deferred from 08-29-2023 & 09-12-2023)

A resolution authorizing revisions to the Employee Information Guide (EIG) to be effective upon approval, revisions include: Policy 1 – Purpose and Objective; Policy 2 – General Policies; Policy 4 – Personnel-Human Resources Records; Policy 6 – Outside Employment; and Policy 8 – Separation of Employment, and authorizing formatting and Table of Contents updates. (Alternate Version)

**MAYOR'S OFFICE**

- e. A resolution confirming Mayor Kelly's appointment of Darnell Walker to the Head Start Governing Board, for a term beginning on September 20, 2023, and ending on September 19, 2025.
- f. A resolution confirming Mayor Kelly's reappointment of Matt McDonald to the Historic Zoning Commission, for a term beginning on September 20, 2023, and ending on September 19, 2028.
- g. A resolution confirming Mayor Kelly's appointment of Rosalyn Ruffin to the Office of Family Empowerment Board, for a term beginning on September 20, 2023, and ending on September 19, 2025.
- h. A resolution confirming Mayor Kelly's appointment of Laura Wright to the Stormwater Regulations Board, for a term beginning on September 20, 2023, and ending on September 19, 2026.
- i. **A resolution authorizing the Mayor or his designee to enter into a Subrecipient Agreement with Legal Aid of East Tennessee, for an amount not to exceed \$566,000.00. (Added with permission of Chair Dotley)**

**PARKS**

- j. A resolution authorizing the City of Chattanooga to apply for, and if awarded, accept a Blue Cross Healthy Places Grant in the form of amenities for the renovation of Sheila M. Jennings Park, in the amount of \$4,725,000.00. (District 7)

**PUBLIC WORKS**

- k. A resolution authorizing the Administrator for the Department of Public Works to enter into an agreement with Gresham Smith for updating the plan set, bid book, and estimate for the Manufacturers-Hamm Gateway multi-modal pathway to current TDOT standards, for an increase of \$8,000.00, for a revised contract total in the amount of \$279,595.00. (District 1)

- l. [A resolution amending Resolution No. 31396 for the Professional Services On-Call Blanket Contract for Architectural Services Contract No. E-22-026-101 with \(1\) Allen & Hoshall, Inc.; \(2\) Artech Design Group, Inc.; \(3\) Derthick, Henley & Wilkerson Architects PLLC; \(4\) Franklin Associates Architects, Inc.; \(5\) Hefferlin Kronenberg Architects PLLC; \(6\) MBI Companies, Inc.; and \(7\) Rardin Carroll Architects, Inc., to increase the estimated amount of \\$2 million by \\$4.4 million, for a revised estimated amount of \\$6.4 million, due to additional contract utilization by The Sports Authority of the County of Hamilton and the City of Chattanooga, Tennessee, for the South Broad District Ballpark.](#)
- m. [A resolution authorizing the appointment of Kurt Martig, as special police officer \(unarmed\) for the Department of Public Works, Land Development Office, to do special duty as prescribed herein as Landscape Inspector 1, subject to certain conditions.](#)

#### **TECHNOLOGY SERVICES**

- n. [A resolution authorizing an annual spend limit for the existing First Due Blanket Contract No. PA100422 for the Fire Department's record management application to cover the Assessor Data Add-on Module additional expense, for an overall blanket increase from \\$572,856.70 to \\$646,211.12, an increase of \\$73,354.42 for the five year term, as more fully described in the resolution.](#)
- o. [A resolution authorizing a spend limit increase for the existing Blanket Contract No. PA100296, Years 2 and 3, with Monday.Com for the annual project management application now used citywide from \\$30,000.00 to \\$75,000.00, representing a total increase of \\$45,000.00 to cover the cost of licenses for additional users.](#)

#### **WASTEWATER**

- p. [A resolution authorizing the Administrator for the Wastewater Department to award Contract No. W-19-007-201, Wet Weather Storage Phase 6 – Hixson Pump Station #1 to Clark Construction Group, Sterling, VA, for five million gallons of wet weather storage, a new pumping station, and associated conveyance piping improvements in the amount of \\$41,684,042.00, with a contingency in the amount of \\$4,168,404.20, for a total amount of \\$45,852,446.20. \(Consent Decree\)](#)

VIII. Purchases.

IX. Committee Reports.

X. Recognition of Persons Wishing to Address the Council.

**Revised Agenda for Tuesday, September 19, 2023**

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XI. Adjournment.

**Proposed Agenda for Tuesday, September 26, 2023**

**SUBJECT TO COUNCIL ACTION**

**Page 1**

**TUESDAY, SEPTEMBER 26, 2023**  
**CITY COUNCIL PROPOSED AGENDA**  
**6:00 PM**

1. Call to Order by Chair Dotley.
2. Pledge of Allegiance/Invocation (Councilman Ledford).
3. Special Presentation.

***Proclamation Honoring Allen Burney, Jr.***  
**By Councilwoman Demetrus Coonrod**

4. Minute Approval.

**Proposed Order of Business for City Council**

5. **Ordinances - Final Reading:**

**LEGAL**

- a. [An ordinance granting a franchise to Uniti Fiber LLC, for the purpose of allowing it to construct, install, and operate certain telecommunications wires and cabling within the public rights-of-way in order to provide telecommunications services within the City; setting forth conditions accompanying the grant of the franchise; providing for regulation and use of the system and the public rights-of-way in conjunction with the City's right-of-way ordinance; and prescribing penalties for the violations of the provisions herein.](#)

**PLANNING**

- b. [2023-0112 Nathan Brown \(R-3 Residential Zone and R-T/Z Residential Townhouse/Zero Lot Line Zone with conditions to R-T/Z Residential Townhouse/Zero Lot Line Zone\). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone properties located at 1115 and 1117 East 14<sup>th</sup> Street and an unaddressed property in the 1100 block of East 4<sup>th</sup> Street, from R-3 Residential Zone and R-T/Z Residential Townhouse/Zero Lot Line Zone with conditions to R-T/Z Residential Townhouse/Zero Lot Line Zone, subject to certain conditions. \(District 8\) \(Recommended for approval by Planning Commission and Staff\) \(Deferred from 09-12-2023\)](#)

**Proposed Agenda for Tuesday, September 26, 2023**

**SUBJECT TO COUNCIL ACTION**

**Page 2**

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**PUBLIC WORKS**

**Transportation**

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6. **Ordinances - First Reading:**

**MAYOR'S OFFICE**

- a. [An ordinance to amend Chattanooga City Code, Part II, Chapter 26, relative to the creation of the City of Chattanooga Parks and Outdoors Advisory Commission. \(Item moved with permission of Chair Dotley\)](#)

**PUBLIC WORKS**

- b. [An ordinance amending Chattanooga City Code, Part II, Chapter 21, Section 21-62, Municipal Lien for Costs; Collection of Liens.](#)

7. **Resolutions:**

**COUNCIL OFFICE**

- a. [A resolution to amend Resolution No. 31664, authorizing the Mayor or his designee to enter into a Beneficiary Agreement with First Baptist Cares to serve as the fiduciary agent for the lighthouse collective, for an amount not to exceed \\$10,000.00.](#)

**ECONOMIC DEVELOPMENT**

- b. [A resolution approving an amendment to the Economic Impact Plan for the development of the North River Commerce Center Industrial Park and the redevelopment of North Access Road. \(Districts 2 & 3\)](#)

**INFORMATION TECHNOLOGY**

- c. [A resolution authorizing a new three-year blanket Purchase Agreement with Insight Public Sector using the Omnia Partners Contract No. 23-6692-03 for software purchases, software renewals, hosted solutions, maintenance, and support services, for an amount not to exceed \\$300,000.00 per year.](#)

**PUBLIC WORKS**

- d. [A resolution authorizing the Administrator for the Department of Public Works to award Contract No. Y-23-003-201, Brown Acres golf cart path paving to Kane Industries, LLC, of Chattanooga, TN, in the amount of \\$94,087.58, with a contingency in the amount of \\$4,061.30, for a total amount of \\$98,148.08. \(District 6\)](#)

**WASTEWATER**

- e. [A resolution authorizing the Administrator for the Wastewater Department to authorize Change Order No. 2 for professional services provided by Jacobs Engineering, Inc. for the MBWWTP Equalization Basin and Blower Replacement Improvements Project, Contract No. W-16-022-101, in the amount of \\$815,106.50.](#)
8. Purchases.
9. Committee Reports.
10. Recognition of Persons Wishing to Address the Council.
11. Adjournment.